IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF APPEALS AND INTERFERENCE

In re Application of

Sang O. PARK

Serial No.: 09/941,837

Filed: August 30, 2001

Confirmation No.: 6861

Group Art Unit: 2623

Examiner: Michael P. Van Handel

Customer No.: 34610

For: APPARATUS AND METHOD FOR DISPLAYING BROADCAST
      INFORMATION OF TELEVISION

REPLY BRIEF

U.S. Patent and Trademark Office
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Randolph Building
401 Dulany Street
Alexandria, Virginia 223134

Sir:

In response to the Examiner's Answer dated May 29, 2008 (hereafter the Examiner's

Answer), appellant is providing the following Reply Brief in accordance with 37 C.F.R. §41.41.

Appellant respectfully maintains all previous arguments. Claims 1-6, 8-11, 13-22, 24-28 and 30-

31 are pending in this application and are on appeal.

The Examiner's Answer provides arguments to the Appeal Brief filed March 3, 2008

(hereafter the Appeal Brief). The following addresses the Examiner's Answer. Appellant's other

arguments are provided in the Appeal Brief.

Independent claim 1 recites that a television receiver changes a shape or a color of a cursor when the cursor is positioned within the specific region in which the specific information exists regarding an object within the specific region.

The Examiner's Answer (on page 10) states that U.S. Patent 6,282,713 to Kitsukawa et al. (hereafter Kitsukawa) does not disclose that a television receiver changes a shape or color of the cursor when a cursor is positioned within the specific region. The Examiner's Answer then cites U.S. Patent Publication 2002/0184627 to Alba et al. (hereafter Alba) for the missing features. The Examiner's Answer states that Alba changes configuration to indicate to a user when additional information is available. However, Alba's pointer/cursor 110 changes to indicate to a user that alternative or additional information is provided beyond a program matrix 108. This additional information is therefore in an area other than the area currently displayed. For example, Alba's FIGs. 10A and 10C show that the pointer/cursor 110 is provided outside of the program matrix 108. The Examiner's Answer (on page 10) states that the changed icon indicates that the program matrix 108 may be shifted by an entire page. As such, Alba does not teach or suggest changing a shape or color of a cursor when the cursor is positioned within the specific region in which the specific information exists regarding an object within the specific region. Alba's pointer/cursor 110 changes configuration when other additional information is provided outside the displayed information.

Alba does not teach or suggest the features of independent claim 1 that are missing from Kitsukawa, namely, that the television receiver changes a shape or color of a cursor when the

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cursor is positioned within the specific region in which the specific information exists regarding

an object within the specific region.

The Examiner's Answer cites Alba merely for changing a configuration of a cursor. However, Alba does not teach or suggest the missing features regarding changing a shape or color of a cursor when the cursor is positioned within the specific region in which the specific region exists regarding an object within the specific region. That is, the Examiner's Answer does not provide features within Alba that are missing from Kitsukawa. Appellant respectfully submits that the outstanding rejection is based on impermissible hindsight since the rejection is based on picking-and-choosing features from different references based on appellant's disclosure (and without fully considering how the features are used in the respective references).

For at least these reasons (and the reasons set forth in the Appeal Brief), Kitsukawa and Alba do not teach or suggest all the features of independent claim 1. Thus, independent claim 1 defines patentable subject matter.

Independent claim 5 recites changing a shape or color of the cursor when specific information exists corresponding to the region of the screen where the cursor is positioned, the specific information including at least a uniform resource locator (URL) associated with the object within the specific region.

The Examiner's Answer (on page 17) states that U.S. Patent 5,929,849 to Kikinis does not disclose changing a shape or color of the cursor when the cursor is positioned within the at least one interactive region. The Office Action t hen cites Alba's paragraph [0093] and FIGs.

10A-10C as disclosing changing a configuration of a pointer/cursor 110 when a user moves a

pointer/cursor over a particular portion of a screen. However, Alba changes configuration when

information exists outside of the program matrix 108 (i.e., past the edge of the program matrix

108). This does not teach or suggest the features of independent claim 5 missing from Kikinis,

namely, changing a shape or color of the cursor when specific information exists corresponding

to the region of the screen where the cursor is positioned (and/or information associated with

the object within the specific region).

The Examiner's Answer states that the fact that Alba teaches changing the configuration

of the cursor to indicate what a user should do to locate information not provided within a

current program matrix is irrelevant. Appellants respectfully disagree as independent claim 5

specifically recites "when specific information exists corresponding to the region of the screen

where the cursor is positioned."

The Examiner's Answer (on page 19) also states that Alba discloses that when the pointer

110 is moved over an area in the program guide, the item may be automatically highlighted with

a brighter color to indicate the viewer's location. Appellant maintains that independent claim 5

relates to changing a shape or color of a cursor.

For at least these reasons, Kikinis and Alba do not teach or suggest all the features of

independent claim 5. Thus, independent claim 5 defines patentable subject matter.

Independent claim 11 recites changing a shape or color of the cursor when a stored

uniform resource locator exists corresponding to the interactive image region in which the

cursor is positioned. Alba does not suggest changing a shape or color of the cursor in combination with a stored locator exists corresponding to the interactive image region in which the cursor is positioned. Further, Kikinis does not suggest that a stored uniform resource locator exists in an area outside of a program matrix (i.e., corresponding to when Alba changes a configuration of pointer/cursor 110). Thus, independent claim 11 defines patentable subject matter.

Independent claim 16 recites changing a shape or color of a cursor when the cursor is positioned within the at least one interactive region and the address of the Internet Web site exists regarding an item within the at least one interactive region. Kikinis and Alba, either alone or in combination, do not suggest changing a shape or color of a cursor when the cursor is positioned within one interactive region and an address exists regarding an item within the interactive region. Further, neither reference teaches changing a shape or color of a cursor in combination with an address exists regarding an item within the interactive region (when the cursor is positioned within the interactive region). Thus, independent claim 16 defines patentable subject matter.
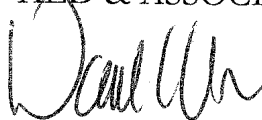
Independent claim 21 recites the microprocessor changes a shape or color of a moveable cursor when the movable cursor is located within the interactive image region in order to indicate an existence of a uniform resource location associated with the object provided in the interactive image region. Kikinis and Alba do not teach or suggest that a microprocessor changes a shape or color of a movable cursor when the movable cursor is located within an

interactive image region in combination with an object provided in the interactive image region. Thus, independent claim 21 defines patentable subject matter.

Independent claim 25 recites that the microprocessor changes a shape or color of a cursor <u>when the cursor is positioned within the interactive image region</u> and a uniform address locator exists to obtain specific information regarding <u>an object within the interactive image region</u>. Kikinis and Alba do not teach or suggest that the microprocessor changes a shape or color of a cursor when the cursor is positioned within the interactive image region in combination with an object within the interactive image region. Thus, independent claim 25 defines patentable subject matter.

For at least the reasons as set forth above and the reasons set forth in the Appeal Brief (as well as the previous responses), appellant maintains that each of claims 1-6, 8-11, 13-22, 24-28 and 30-31 defines patentable subject matter. Appellants respectfully request that the rejections to the claims be reversed and/or withdrawn.

<div style="text-align:right">
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